



MEMORANDUM

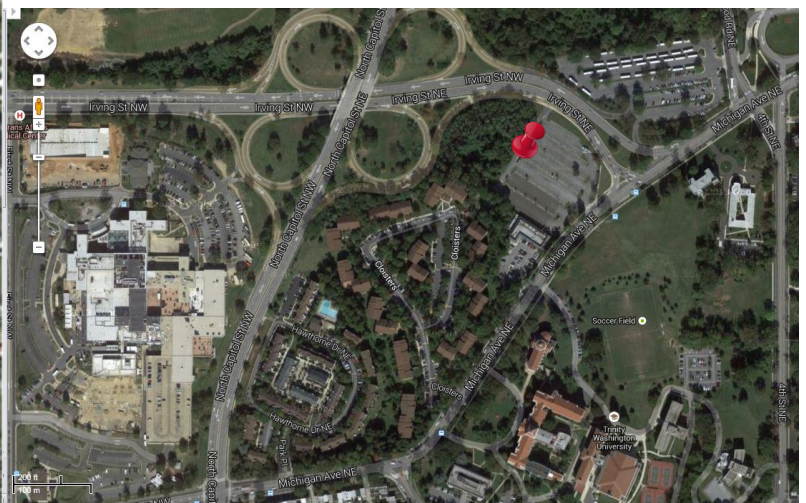
TO: District of Columbia Zoning Commission
FROM: Jennifer Steingasser, Deputy Director Development Review & Historic Preservation
DATE: January 17, 2014
SUBJECT: Extension Request – PUD 08-33 B (Conference Center Associates I, LLC)

Applicant	Conference Center Associates I, LLC
Address	Corner of Irving Street and Michigan Avenue, NE
Ward / ANC	Ward 5, ANC
Project Summary	<p>ZC Order 08-33 includes approval of a:</p> <ul style="list-style-type: none"> • Related map amendment from an unzoned district to the C-3-A district to accommodate the construction of a 314-room hotel, conference center, restaurant, retail space and a 4-story, 200-space parking structure along the Michigan Avenue street frontage; and a • First Stage PUD including two, nine-story buildings (94.5ft.) dedicated to either additional hotel and/or residential units and may include more space for conference center uses. A below grade parking structure for 295spaces is also proposed.
Order Effective Date	Consolidated PUD, December 25, 2009. The First Stage PUD approval is effective until December 24, 2014.
Previous Extension	One. ZC 08-33A (Consolidated PUD).
Order Expiration Date	Expiration December 25, 2013

PHOTOS OF SITE



Original photo ZC 08-33 (2008)



Most Recent Photo (Google 2013)



EVALUATION OF THE EXTENSION REQUEST

Section 2408.10 allows for the extension of a PUD for “good case” shown upon the filing of a written request by the applicant before the expiration of the approval; provided that the Zoning Commission determines that the following requirements are met:

- (a) **The extension request is served on all parties to the application by the applicant, and all parties are allowed thirty (30) days to respond.**

The application submitted to the Zoning Commission is dated December 23, 2013 and has been in the public record since filing.

- (b) **There is no substantial change in any of the material facts upon which the Zoning Commission based its original approval of the planned unit development that would undermine the commission’s justification for approving the original PUD.**

Zoning Regulations:

Since the application was submitted, the Zoning Regulations were amended to include the Green Area Ratio (GAR) standard for new development in the District. While this application predates the GAR score requirement, at OP’s request the applicant agreed to provide a score at the time of permitting. OP does not anticipate that the change would materially affect the Commission’s judgment for approving the original PUD.

Comprehensive Plan:

No **substantial** changes to the Comprehensive Plan have been made that would impact the material facts upon which the Zoning Commission based its original approval of this PUD.

Surrounding Development:

Since the PUD’s approval, the Munroe Street Development at the Brookland Metro was designed and constructed after the subject application’s original approval. In addition, a PUD application for the mixed-use development of the McMillan Water treatment facility, half mile southwest of the subject site has also been filed, but would have limited direct impact on this site.

- (c) **The applicant demonstrates with substantial evidence that there is good cause for such extension, as provided in § 2408.11.**

Section 2408.11 sets out the conditions of good cause as:

- (a) An inability to obtain sufficient project financing for the planned unit development, following an applicant’s diligent good faith efforts to obtain such financing, because of changes in economic and market conditions beyond the applicant’s reasonable control;
- (b) An inability to secure all required governmental agency approvals for a planned unit development by the expiration date of the planned unit development order because of delays in the governmental agency approval process that are beyond the applicant’s reasonable control; or
- (c) The existence of pending litigation or such other condition, circumstance or factor beyond the applicant’s reasonable control which renders the applicant unable to comply with the time limits of the planned unit development order.

The applicant cites an inability to obtain the project’s financing at this time. The financing anticipated at the project’s approval did not materialize due to circumstances beyond the applicant’s control, as explained in the submission. The applicant continues to explore other financial options but has not been successful to date and therefore requests additional time to continue pursuing financial support for the approved project.